

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DENNIS EBORKA,

Plaintiff,

vs.

UNIVERSITY OF NEBRASKA-LINCOLN,

Defendant.

8:24CV52

MEMORANDUM AND ORDER

Plaintiff Dennis Eborka, a non-prisoner, filed a Motion for Leave to Proceed in Forma Pauperis (“IFP”). [Filing No. 9](#). Plaintiff previously faxed an identical IFP Motion to the Court, which was returned to him on February 20, 2024, because it was sent by fax contrary to the Court’s prior orders. [Filing No. 6](#). In returning the faxed IFP Motion to Plaintiff, the Court directed Plaintiff to “fill out the [IFP] form completely, providing all information requested,” if he chose to resubmit his form IFP request. [Id. at 2](#). Despite the Court’s direction, Plaintiff has resubmitted the same form IFP Motion with only his “\$0” income and “\$0” in cash or savings responses completed. However, the Court will give Plaintiff the benefit of the doubt and assume his failure to fill in any responses about other income or his expenses and financial liabilities means that he does not have any. Thus, upon review of Plaintiff’s Motion, the Court finds that Plaintiff is financially eligible to proceed in forma pauperis.

IT IS THEREFORE ORDERED that leave to proceed in forma pauperis is granted, and the Complaint shall be filed without payment of fees. Plaintiff is advised that the next step in his case will be for the Court to conduct an initial review of his

claims to determine whether summary dismissal is appropriate under 28 U.S.C. § 1915(e)(2). The Court will conduct this initial review in its normal course of business.

Dated this 8th day of March, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon". The signature is stylized with a large initial "J" and a cursive "F".

Joseph F. Bataillon
Senior United States District Judge